

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

BOONE'S PHARMACY INC.,)	
Plaintiff/Counter Defendant,)	
)	
v.)	CIVIL ACTION NO. 2:22-00375-JB-N
)	
EzriRx LLC,)	
Defendant/Counter Claimant.)	

ORDER SETTING TELEPHONIC SCHEDULING CONFERENCE

As directed by the preliminary scheduling order and the Court's August 16, 2023 order (Doc. 51), the parties have filed a report of their planning meeting held under Federal Rule of Civil Procedure 26(f) (Doc. 53).¹ Although the parties do not request a conference with the Court before entry of a Federal Rule of Civil Procedure 16(b) scheduling order, it is the undersigned's belief that bringing the parties and the Court together at this stage promotes efficiency in the litigation process, helps avoid discovery disputes, provides a clearer path to pretrial resolution, and allows counsel to pose questions to the Court. *See* Fed. R. Civ. P. 16(b)(1) (providing that the district court must issue a scheduling order "after receiving the parties' report under Rule 26(f); or [after consulting with the parties' attorneys and any unrepresented parties at a scheduling conference" (emphasis added)); S.D. Ala. CivLR 16(a)(1) (permitting

¹ The assigned District Judge has referred the parties' planning report to the undersigned Magistrate Judge for entry of a scheduling order and appropriate related action. *See* S.D. Ala. GenLR 72(a)(2)(S) & (b); (8/30/2023 electronic reference notation).

judges of this district to “require the parties to appear [at preliminary pretrial conferences] to consider the future conduct of the case”).

Accordingly, this civil action shall come before the undersigned Magistrate Judge for a telephonic scheduling conference under Federal Rule of Civil Procedure 16(b) and S.D. Ala. Civil Local Rule 16(a) on **SEPTEMBER 7, 2023**, beginning at **10:30 A.M. (Central)**. To access the telephonic conference, participants are to use the following numbers:

CALL-IN # 571-353-2301

GUEST ID # 002111802#

At least one attorney of record for each counseled party must participate in the scheduling conference. *Pro se* parties, if any, must participate personally. A party or attorney who fails to appear, is substantially unprepared to participate, or does not participate in good faith may be subject to sanctions as permitted by Federal Rule of Civil Procedure 16(f).

DONE and ORDERED this the **31st** day of **August 2023**.

/s/ Katherine P. Nelson

KATHERINE P. NELSON

UNITED STATES MAGISTRATE JUDGE